

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

DOD Authorization Bill/Polygraph Restriction

FROM:

General Counsel

EXTENSION

NO.

DATE

14 July 1983

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. DDCI *in*

2. (Clair George has seen)

3. DCI

4. ER - ~~Hand deliver~~ to Rob Simmons

5. or Vicki Tuensing

6. or Lettewell, SSCI staff

7. ER: PLEASE SEND URGENTLY VIA SPECIAL COURIER

8.

9. TO: OGC

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15.

Attached for your signature is a letter to SSCI Chairman Goldwater expressing concern over the polygraph restriction provision contained in the DOD Authorization Bill, which is currently being considered on the Senate floor.

This letter has been requested by SSCI staff chief Rob Simmons to aid in the SSCI's efforts to have the provision stricken from the Bill or to at least mitigate its damaging aspects.


Stanley Sporkin

Attachment

Has been cleared w/OMB

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The Director of Central Intelligence

Washington D.C. 20505

OGC 83-05925

14 JUL 1983

Honorable Barry M. Goldwater
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

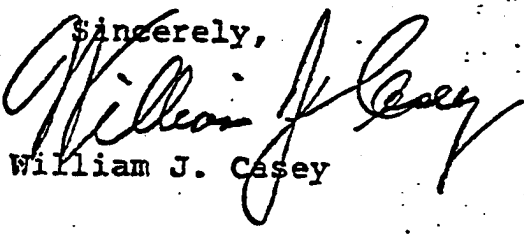
I am writing to express to you my grave concern with legislation pending in the Senate which would restrict the use of polygraph examinations by the Department of Defense. The restriction on use of the polygraph contained in Section 1007 of S. 675, the Fiscal Year 1984 Defense Authorization Bill, would impair my ability as Director of Central Intelligence to fulfill my statutory and other legal responsibilities for the protection of intelligence sources and methods.

The Director of Central Intelligence is by statute responsible for the protection of intelligence sources and methods (50 U.S.C. §403(d)(3)). The Director of Central Intelligence is also responsible for ensuring the establishment by the Intelligence Community of common security and access standards for managing and handling foreign intelligence systems, information, and products (Executive Order 12333, §1.5(g)) and for ensuring that programs are developed which protect intelligence sources, methods, and analytical procedures (id., §1.5(h)). Finally, the Director of Central Intelligence is responsible for establishing special access controls and standards for sensitive compartmented information (SCI), which consists of extremely sensitive intelligence information (Executive Order 12356, §4.2(a)).

Department of Defense personnel have access to a great deal of intelligence information, including SCI and information relating to intelligence sources and methods, produced by the various elements of the Intelligence Community. As Director of Central Intelligence, I thus have a direct legal and practical interest in the use or non-use of the polygraph as a security method with respect to Department of Defense personnel. Under very carefully delimited and controlled circumstances, polygraph examinations currently may be required of personnel of the Department of Defense who hold positions which involve access to extremely sensitive intelligence information. New restrictions on the use of polygraph examinations with respect to Department of Defense personnel, and on the use of the information derived therefrom, could jeopardize the security of intelligence information, sources, and methods.

I cannot effectively fulfill my statutory and other legal responsibilities for the protection of intelligence sources and methods if Department of Defense personnel, who must have access to intelligence information to perform their duties, are to be specially exempted by statute from security practices applicable to the personnel of other agencies who have equivalent access to such information. For this reason, I strongly oppose Section 1007 of S. 675. I would note that this provision was attached to the Defense Authorization Bill without the benefit of any hearings or substantial discussion in committee. A legislative decision with such a potentially grave impact on the security of our nation's most sensitive secrets deserves much more thorough consideration.

Sincerely,


William J. Casey

cc:

Honorable John G. Tower
Chairman, Committee on Armed Services

Honorable Strom Thurmond
Chairman, Committee on the Judiciary

Honorable Daniel P. Moynihan
Vice Chairman, Select Committee on Intelligence

Honorable Henry M. Jackson
Ranking Minority Member
Committee on Armed Services

Honorable Joseph R. Biden
Ranking Minority Member
Committee on the Judiciary

(OGC:)

Distribution:

- 1 - DCI
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- 1 - LED File: Polygraph (98th)

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